



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 035-11 322 E. CANON PERDIDO MODIFICATIONS AUGUST 10, 2011

APPLICATION OF PETER BECKER, ARCHITECT FOR OWNER CRADDOCK LIVING TRUST, 322 E. CANON PERDIDO, APN 031-021-028, C-2 ZONE, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL (MST2010-00365)

The proposed project involves adding a new chimney and casement window to an existing 1,583 net square foot single-family residence.

The discretionary applications required for this project are:

1. A Modification for the encroachment of the new chimney in the ten-foot front setback (SBMC §§28.21.060 & 28.92.110); and
2. A Modification for the encroachment of a new window in the six-foot interior setback (SBMC §§28.21.060 & 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines §15301 (Existing Facilities) and §15305 (Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 3, 2011.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application making the findings that the interior setback modification for the new window, and the front setback modification for the new chimney, are both consistent with the purposes and intent of the Zoning Ordinance and necessary to secure appropriate improvements on the lot; such that:
 - A. The proposed window is an appropriate improvement due its location and small size, the topography of the adjacent property, the screening of the hedge, and the location of the Structure of Merit on the adjacent property.

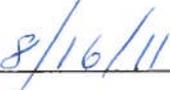
- B. The proposed chimney is an appropriate improvement because of the location of the historic building, the small size of the chimney, and its purpose to conceal the gas fireplace vent.

This motion was passed and adopted on the 10th day of August, 2011 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Kathleen Goo, Staff Hearing Officer Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Historic Landmarks Commission (HLC) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.